

INTERSTATE COMMERCE

Report of the Commission Transmitted to Congress.

THE WORK DURING THE YEAR.

A Marked Improvement in the Disposition of Carriers Toward Compliance of the Law—Methods of Securing Obedience—Use of Shipper's Cars—Through Routes and Rates—Amendments Proposed.

WASHINGTON, D. C., Jan. 5.—The fifth annual report of the Interstate Commerce Commission was transmitted to Congress this morning. The report is under date of December 1 last, and is signed by Commissioners Morrison, Veazey and Knapp, the resignation of Commissioner Cooley and the death of Commissioner Bragg having reduced the number of commissioners to three. The following is a brief synopsis of the report:

The report opens with a general review of the work of the commission during the year. In connection with what is said of the statistical work a map is given showing the division of the railroads of the country into ten groups. The railroad mileage of the United States for the year ending June 30, 1890, was 163,597 miles; the increase in mileage during the year was 5,838 miles. The statistics appear fully in the statistical part of the report.

Passing to the question of reparation for damages, attention is called to certain decisions to the effect that where the Commission has been asked to consider a claim for damages that question cannot subsequently be made the basis of a suit in court. Since the announcement of the decisions the Commission has considered and passed upon that question whenever the issues and the evidence required it.

Special sessions of the Commission have been held at a number of places in various sections of the country. The magnitude of the subject of railway transportation requires full information and great familiarity with the varied conditions affecting traffic in widely separated sections of the country, and these special hearings in different places it is believed are essential to gain the information required. There is said to have been a marked improvement during the year in the disposition of carriers towards compliance with the law. Infractions of its provisions are less frequent as respects unjust discriminations, unreasonable advantages, favoring particular persons, places or kinds of business; but as regards the duty of establishing and publishing rates and charges little progress has been made. Illustrations are given of certain devices which have been adopted by carriers for the purpose of reducing rates, without previous publication of the contemplated reductions, in respect both of passenger rates and freight rates. The public grievances arising from the failure of the carriers to comply with the law in these particulars are pointed out.

THE METHODS OF SECURING OBEEDIENCE TO THE LAW

are, by criminal proceedings for violations, and by civil proceedings to enforce the orders of the commission. It has been held in one of the United States circuit courts that as the law now stands a railroad company cannot be criminally proceeded against for infraction of its provisions, and consequently agents and officers only are liable to its penalties. Where, however, the illegal act of an officer or agent inures not to his own benefit, but to that of the company, the latter, it would seem, should certainly be punishable equally with the former. Besides, where an offense consists in the failure to discharge some duty required by law, it is sometimes difficult to say on what agent the duty is imposed, and who is consequently liable for its non-performance. Were the corporation itself indictable no such difficulty would arise. But "the line between a criminal violation of the law and a mere error of judgment or opinion as to what is lawful or unlawful in a particular case is often very difficult to locate."

UNIFORM CLASSIFICATION

is reviewed in some detail the action of the carriers on this subject since the enactment of the interstate commerce law.

It is shown by the deliberate statements of experts in the employment of the carriers that a much nearer approach to uniformity than now exists is practicable, without danger of serious detriment to the interests involved. In fact a practically uniform classification and a report favoring the adoption thereof, was agreed on in June, 1890, by a committee representing the principal traffic associations of the country. A view of the carriers, however, refused to adopt the classification, and as unanimous action was most desirable, it was necessary the committee's suggestions have not been put in force. Meantime the commercial bodies of the country are urgent in their demand for this reform, and the commission is as fully as ever convinced of the desirability of it. Definite action by carriers is, therefore, recommended, looking to compel the carriers to adopt a uniform classification.

USE OF SHIPPER'S CARS

by carriers, it is shown that the original conception of a railroad company was not that of a carrier, but merely of an organization to provide a toll road for the vehicles of the public generally. Then came charters permitting railroad companies to act as carriers and generally as exclusive carriers over their lines.

The demands of commerce, however, necessitated the use of cars belonging to connecting carriers; but the relation of the railroad company to the owner of the cars became that of a hirer of property instead of a collector of tolls, and when the cars of private shippers gradually came into use it was in the same way—that is, the car owner, instead of paying toll for the use of the road by him, received compensation from the railroad company for the use of his cars by the latter. The mode of fixing compensation, on the basis of mileage, evidently puts it to a large extent into the carrier's power to determine what the aggregate compensation in any particular shall be. The carrier thus has the power to discriminate, not only between shippers having cars of their own and those who are obliged to use the carrier's cars, but also between shippers who may both be provided with their own cars.

Several illustrations are given showing how carriers have sought to avail themselves of this condition of things, sometimes openly and sometimes covertly, to effect discriminations between

their customers, contrary to the intent and spirit of the law.

CONNECTING LINES

The most important subject treated is that of "through routes and rates." Where connecting carriers fail or refuse to enter into arrangements for the purpose of giving these facilities, very serious difficulties arise in the administration of the act. "A proper consideration of the public interests and the needs of commerce frequently require that through routes should be opened and through rates given over connecting lines."

The question of legislative power to compel connecting carriers to grant these facilities is then discussed at some length, and while difficulties are acknowledged and explained they are shown not to be insuperable, the conclusion being that the subject is a proper one for legislative action.

The power of Congress over carriers whose lines are confined within state limits, but who, nevertheless, participate in interstate commerce, are examined; and the conclusion is arrived at that Congress may, undoubtedly, exercise its regulatory powers upon such carriers. It is shown how under the existing law the commission cannot compel connecting carriers to interchange business, except as a mere incident, where the main question involved is one of unjust discrimination; and several illustrations are given.

RISK AS AFFECTING RATES

The liability of the carrier is discussed, in part, as it exists in the absence of special contracts; 2d, as limited by such contracts. These contracts are usually contained in the receipts or bills of lading issued by carriers.

The negotiability of bills of lading or the conclusiveness, as against the carrier, of statements and receipts in these instruments receives attention, and it is shown that this question has been differently decided by different courts under the same state of facts. Bills of lading issued by railroad shipping agents falsely or erroneously acknowledging the receipt of property for carriage in New York and other states have been held conclusive against the carrier in favor of bona fide transferees for value, while in the federal courts, and in those of some of the states the contrary doctrine prevails. Attention is directed to the dissimilarity of the terms of the various bills of lading in common use, and the conflict of judicial opinion as respects the rights and duties of shippers and carriers under the same instrument is fully presented. These dissimilar provisions and conflicting interpretations of bills of lading affect traffic of an interstate character as well as merely state traffic, and greater uniformity is desirable in the interest of commerce. The proposed uniform bill of lading and the objections of the shipping interests thereto are discussed, and some of its features, especially the provision that property taken at carrier's risk shall be rated one class higher than if taken at owner's risk, are disapproved. The objection is not to making an increased charge for a greater risk, but to the principle of determining what the increase should be.

The appendices contain, among other papers, articles upon methods of carriers in the matter of the construction, publication, and filing of rate schedules, heating of passenger cars, and safety appliances; also digest of the decisions of the Commission since its organization. Also a statement of the expenditures for the year.

FATAL GAME OF CARDS.

Eight Men Killed in a Row That Began With a Quarrel.

MACON, Ga., Jan. 5.—Eight men were killed in a general fight at Bright & Williams' turpentine still in Clinchco Saturday. The fight commenced with a quarrel between two of them, Williams and Ed. Parker, over alleged cheating in a game of cards. Parker began the shooting. Both he and Williams were killed.

Their First Acts of Violence.

SAN ANTONIO, Tex., Jan. 5.—The first acts of destruction and violence on the part of the San Antonio & Arkansas Pass railroad strikers were committed last night at Yokumton, where the division shops are located. The night watchman, at the night house there were held by the mob of strikers, who then proceeded to dismantle fifteen engines and do other damage.

A Son of the Revolution.

BELLEVILLE, Ill., Jan. 5.—Joseph Ogle, a descendant of Samuel Ogle, who was Maryland's Governor in 1775, and son of Joseph Ogle, an officer in the Revolutionary war, is dead. He was eighty-three years old and was one of the wealthiest men in Belleville.

Steamship Stranded.

LONDON, Jan. 5.—News has been received that the Lloyd steamer Juno has stranded at Smyrna, a seaport of Asia Minor.

State of Ohio, City of Toledo, ss.

Lucas County.

Frank J. Cheney makes oath that he is the senior partner of the firm of F. J. Cheney & Co., doing business in the city of Toledo, county and state aforesaid, and that said firm will pay the sum of one hundred dollars for each and every case of Catarrh that cannot be cured by the use of Hall's Catarrh Cure.

Sworn to before me and subscribed in my presence, this 6th day of December, A. D. 1890.

A. W. GLEASON, Notary Public.

Hall's Catarrh Cure is taken internally and acts directly upon the blood and mucous surfaces of the system. Send for testimonials, free.

F. J. CHENEY & CO., Toledo, O. Sold by druggists, 75 cents.

For Over Fifty Years

Mrs. Winslow's Soothing Syrup has been used by millions of mothers for their children while teething. It disturbed at night and broken of your rest by a sick child suffering and crying with pain of cutting teeth send at once and get a bottle of "Mrs. Winslow's Soothing Syrup" for children teething. It will relieve the poor little sufferer immediately. Depend upon it, mothers, there is no mistake about it. It cures diarrhea, regulates the stomach and bowels, cures wind colic, softens the gums, reduces inflammation and gives tone and energy to the whole system. "Mrs. Winslow's Soothing Syrup" for children teething is pleasant to the taste and is the prescription of one of the oldest and best female physicians and nurses in the United States. Price twenty-five cents a bottle. Sold by all druggists throughout the world. Be sure and ask for "Mrs. Winslow's Soothing Syrup."

Children Cry for Pitcher's Castoria.

THE FAMINE IN RUSSIA.

Countess Tolstoi Writes an Account of the Suffering—What the People Need.

BERLIN, Jan. 5.—Countess Tolstoi has written to a friend in Munich describing the famine in Russia and the methods she adopts to relieve the starving people. She says that the only real relieving society is the Red Cross, for which her sons collect money to buy grain and other necessities, while her daughters make visits from house to house and invite the destitute to the free soup-kitchens. "The state of the people," she says, "is miserable indeed. It is almost impossible to render an account of how donations are expended. Some of the people require food while others want clothing. It is difficult to record each trifling item."

Carried a Concealed Weapon.

QUEENSTOWN, Jan. 5.—Thomas Ryan, a United States army pensioner, passenger in the Etruria, who was arrested here Saturday morning last as soon as the steamer arrived from New York, has been fined two pounds and costs. The charge upon which he was arrested was the concealment of a loaded revolver and ammunition for the weapon.

Maupassant's Last Work.

PARIS, Jan. 5.—M. de Maupassant, now insane, only recently commenced a new work which he said would be the finest thing he ever wrote. He would say of this work, "It will certainly be my literary testament, for the others may disappear, but this, please God, will not."

Queen of Roumania Hopelessly Ill.

LONDON, Jan. 5.—It is reported that the doctors who are in attendance on the Queen of Roumania despair of saving her life.

Cab Strike in Paris.

PARIS, Jan. 5.—A cab strike has commenced in this city. None of the Compagnie Urbaine are out.

"Fat Doctor Bills Make Lean Wills."

but Dr. Sage's Catarrh Remedy costs less than one doctor's visit. Catarrh is a loathsome, dangerous disease, and the time has come when to suffer from it is a disgrace. No person of culture and refinement cares to inflict upon his friends his offensive breath, disgusting hawking and spitting and disagreeable efforts to breathe freely and clear the throat and nose—hence the cultured and refined use Dr. Sage's Catarrh Remedy. And no wise and prudent man cares to run the risk of leaving his family without a protector by letting his "slight catarrh" run into serious or fatal throat and lung troubles, hence the wise and prudent use Dr. Sage's Catarrh Remedy. The proprietors of this remedy are so confident of its curative properties that they have made a standing offer of a reward of \$500 for a case they cannot cure.

A Good Letter.

Persons troubled with colds or the grip will find some pointers in the following letter from a prominent Pennsylvania druggist:

BRADDOCK, Pa., October 26, 1891.

Messrs. Chamberlain & Co., Des Moines, Iowa.

GENTLEMEN:—You will please ship me as soon as possible one gross Chamberlain's Cough Remedy. Out of the sixty dozen you have shipped me in the last two years I have only one dozen and a half left. I think from the sales to date this fall that our sales this winter will be greater than ever. It gives me pleasure to say that out of the whole amount that I have sold and guaranteed I have not had one customer say that it did not give all the relief claimed for it.

Yours truly,

AL. MAGNIN.

A ring around the moon is a sign of rain, and a ring around the eye is a sign of blow.—Texas Siftings.

With Ely's Cream Balm a child can be treated without pain and with perfect safety. It cures catarrh, hay fever and colds in the head. It is easily applied into the nostrils and gives immediate relief. Price 50 cents.

"Financial embarrassment" is the only kind that ever troubles young America.—Boston Courier.

The Sure Road to Health.

The sick or diseased should take no chances, but should use a remedy that has been thoroughly tried, is endorsed by thousands and which surely cures all diseases by removing the cause. Such a medicine is Radam's Microbe Killer. Send stamp for pamphlet giving full particulars and you will act wisely. It cures more diseases quickly and permanently than all other remedies put together, and is literally the king of all remedies ever placed before the public. See advertisement, elsewhere.

The girl who has a faithless lover should be sharper the next time—she is a cutlass.—Lowell Courier.

Pronounced Hopeless, Yet Saved.

From a letter written by Mrs. Ada E. Hurd, of Groton, S. D., we quote: "Was taken with a bad cold which settled on my lungs, cough set in and finally terminated in Consumption. Four doctors gave me up, saying I could live but a short time. I gave myself up to my Savior, determined if I could not stay with my friends on earth, I would meet my absent ones above. My husband was advised to get Dr. King's New Discovery for Consumption, Coughs and Colds. I gave it a trial, took in all eight bottles; it has cured me, and thank God I am now a well and hearty woman." Trial bottles free at Logan Drug Co.'s Drug Store; regular size, 50 cents and \$1.

Men with well knit figures are seldom worsted in a fight.—Pittsburgh Dispatch.

"MOTHERS' FRIEND"



Makes Child Birth Easy.

Shortens Labor, Lessens Pain.

Endorsed by the Leading Physicians.

Book to "Mothers" mailed FREE.

BRADFORD REGULATOR CO.

ATLANTA, GA.

SOLD BY ALL DRUGGISTS.

LOGAN DRUG CO.

WHEELING AND ALL DRUGGISTS.

PISO'S CURE FOR

CURES WHERE ALL ELSE FAILS.

Best Cough Syrup, Tastes Good, Use in Time. Sold by druggists.

Good Morning! You Are Hoarse!

Lightning Cough Drops

are something new in the way of a throat and lung balsam, are safe, certain and prompt in their action, and are a sure cure for CROUP. PRICE, 25 and 50 CENTS A BOTTLE.

Lightning Vegetable Liver Pills

are a sure cure for Sick Headache, Biliousness, Costiveness, Piles and Inactivity of the Liver. 25 CENTS A BOX. Sugar Coated. One pill a dose. Don't gripe or make you sick.

Lightning Hot Drops

A panacea for external and internal use. For Rheumatism, Neuralgia, Diphtheria, Sore Throat, Sprains, Bruises, Lameness, Burns, Cramps, Colds and all painful affections. A sure cure for Diarrhoea, Summer Complaint and Flux. 25 and 50 CENTS PER BOTTLE.

Keep them in the House, they will often Save Doctor Bills.

If you feel no relief after using two-thirds the contents of a bottle of these medicines return the remaining one-third to the dealer from whom you bought it and he will refund the price paid for the entire bottle.

For Sale by all Druggists and Dealers in Medicine. Prepared by

HERB MEDICINE CO., - Weston, W. Va.

CASTORIA

for Infants and Children.

"Castoria is so well adapted to children that I recommend it as superior to any prescription known to me."

H. A. ARCHER, M. D., 111 So. Oxford St., Brooklyn, N. Y.

"The use of 'Castoria' is so universal and its merits so well known that it seems a work of supererogation to endorse it. Few are the intelligent families who do not keep Castoria within easy reach."

CARLOS MARTIN, D. D., New York City.

Late Pastor Bloomingdale Reformed Church.

EDWIN F. PARKER, M. D., "The Winthrop," 125th Street and 7th Ave., New York City.

THE CENTAUR COMPANY, 77 MURRAY STREET, NEW YORK.

CATARRH, ASTHMA, BRONCHITIS AND ALL LUNG TROUBLE COMPLETELY AND PERMANENTLY CURED

Simple's Atomizing Inhaler and Remedies.

Safe, Successful and in accordance with the most advanced ideas of Medical Science. Unqualifiedly endorsed by eminent Throat and Lung Specialists. Used by them for years with wonderful results.

Cleanses, Soothes and Heals

By applying remedial agents—possessed of marvelous healing properties—directly to the inflamed mucous surfaces of all, even the most remote parts of the respiratory tract, and announcing them as effectually as if they were on the surface of the body.

Correspondence with all afflicted urgently solicited. Consultation and Medical Advice for all such

FREE And as Valuable As It Is FREE

COST MELELY NOMINAL, within the reach of every one, no matter what their financial condition. YOU CAN TREAT YOURSELF with perfect safety and absolute certainty of satisfactory results. WHILE OTHERS BELIEVE, WE GUARANTEE A CURE, and offer

\$500 for a Case of Catarrh, Bronchitis, Asthma or Catarrhal or Incipient Consumption We Cannot Cure,

And no case can be so aggravated or so far advanced, that our treatment will not give instant relief. WRITE US AT ONCE FOR PARTICULARS.

Read What Those Who Have Used It Say.

BELLEVILLE, O., Sept. 28, 1891.

I suffered for twenty years with Catarrh. I procured and used Simple's Inhaler and their No. 3 Inhalant according to directions and am happy to say I am entirely well.

R. C. BROWN, Secretary Belleville Mfg. Company.

For a number of years I have been afflicted with Catarrh. Within two months from that time I could breathe with perfect ease and comfort, the disease has been entirely driven out of my lungs and to-day they are entirely free from its effects, thanks to Simple's Inhaler and Remedies.

C. H. COE, Centerburg, O.

My daughter had been afflicted with Catarrh for several years. Used Simple's Inhaler and Remedies and is now entirely free from the unpleasant symptoms.

N. S. TOLAND, M. D., Martinsburg, O.

Suffered from Asthma for twenty years, procured Simple's Inhaler and Remedies, spasms grew lighter and intervals longer. After a few months it disappeared altogether and have not had any symptoms of it for two years.

A. W. CRUMLEY, Mt. Vernon, O.

Sold by C. R. GOETZ. Trade supplied by W. E. WILLIAMS.

The Simple Inhaler and Medical Co., MT. VERNON, O.

THE COOKS BAKING POWDER

Satisfaction Guaranteed.

EACH CAN OF THE COOKS BAKING POWDER IS GUARANTEED FULL STRENGTH, FULL WEIGHT, AND IS SOLD ON ITS MERITS AT THE LOWEST POSSIBLE PRICE CONSISTENT WITH QUALITY.

COOKS QUARTERS, RETAIL AT 5 CTS.

COOKS HALVES, RETAIL AT 10 CTS.

COOKS POUNDS, RETAIL AT 20 CTS.

Sold by all Grocers. Try a Pound Can.

MANHOOD RESTORED!

"Nerve Seeds," the wonderful remedy is sold with a written guarantee to cure all nervous diseases, such as Weak Memory, Loss of Brain Power, Headache, Wakefulness, Lost Manhood, Nightly Emissions, Nervousness, Lassitude, all drains and loss of power of the Generative Organs in either sex caused by over exertion, youthful errors, or excessive use of tobacco, opium or stimulants which soon lead to Infertility, Consumption and Insanity. Put up convenient to carry in vest pocket. 50¢ per box or by mail for 60¢. With every \$3 order we give a written guarantee to cure or refund the money. Circular free. Address: Nerve Seed Co., Chicago, Ill.

For sale in Wheeling by the LOGAN DRUG CO., Tenth and Main streets.

DR. MOTT'S PENNYROYAL FEMALE PILLS

for relieving prolonged and painful suppression of the menstrual periods, they are the only safe and certain cure ever offered to women, they are especially made for married ladies, safe and always to be relied upon. Be sure you ask for Dr. Mott's Pennyroyal Pills. They are the genuine, \$1 per box, sent by mail. Dr. Mott's Chemical Co., Cleveland, O.

For Sale by Logan Drug Co.

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ADVERTISE IN A WIDELY CIRCULATED NEWSPAPER.

FINANCIAL.

Wheeling Title Trust Co. BANK.

Interest paid on Savings and Special Deposits.

SAFETY DEPOSIT VAULT BOXES FOR RENT.

BANK OF THE OHIO VALLEY.

CAPITAL.....\$175,000.

Wm. JETT, President. Wm. R. SHIPSON, Vice-President. Drafts on England, France and Germany.

Wm. A. Jett, Mortimer Pollock, J. A. Miller, Wm. R. Simpson, E. M. Atkinson, John K. Baskett, Henry Speyer, Victor Roseburg, Jacob C. Thomas, F. P. JONES, Cashier.

EXCHANGE BANK.

CAPITAL.....\$200,000.

J. N. YANCEY, President. L. S. DELAPLAIN, Vice-President.

DIRECTORS: Geo. E. Shill, Wm. Ellinghaus, A. W. Kelley, John Fraw, Isaac I. Sedgwick, and all points in European and American.

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IRON PIPE VALVES COCKS UNIONS STEAM FITTING AND STEAM HOT WATER HEATING

TRIMBLE & LUTZ, 3416 and 1413 Market St., Wheeling, W. Va.

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Specialties:—Natural Gas Supplies, Steam Heating and Ventilation.

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All work promptly done at most reasonable prices.

STEAMERS.

FOR CINCINNATI, LOUISVILLE, MEMPHIS, ST. LOUIS, NEW ORLEANS AND INTERMEDIATE PORTS.

Will leave Wheeling, foot of Eleventh street, at follows:

Steamer "KEYSTONE STATE," for Cincinnati, Ohio, every Tuesday at 8 a. m. T. S. Calhoun, Master; Chas. W. Knox, Clerk.

Steamer "ANDER," for Cincinnati, Ohio, every Wednesday at 8 o'clock a. m. E. R. Cooper, Master; A. J. Slaven, Clerk.

Steamer "Huron," every Thursday at 8 a. m. J. F. Ellison, Master; Dan Lacey, Clerk.

Steamer "SCOTIA," every Saturday at 5 a. m. George W. Rowley, Master; Robert H. Kent, Clerk.

Steamer "Coxs," every Sunday at 8 a. m. E. F. Muddy, Master; J. Wehrman, Clerk.

First-class fare, Wheeling to Cincinnati, \$1. Round trip, \$1.80. Meals and state-room included. Tickets transferable and good until used. Freight or passage apply on board, or telephone No. 342.

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Leave Wheeling, Daily, Trip, City Time—8:00, 10:00 and 11:00 a. m. 2:00, 4:00, 6:00 p. m. Leave Wheeling Sundays, City Time—8:00, 10:00 and 12:00 a. m.; 2:00, 4:00, 6:00 p. m.

EDUCATIONAL.

MRS. M. STEVENS HART'S School for Girls.

—AND—

MISS MAE BELLE HART'S School for Young Children.

Will open in September in large, airy and well lighted rooms in a fine brick building, 14th street. A full corps of efficient teachers. The school will be divided into three departments: Primary, Grammar and Academic of these grades each.

Boys will be prepared for the Linsly Freshman class.

The past year was successful in a large degree making necessary a provision for a large increase in the number of pupils.

CORNICE AND TIN ROOFING.